

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 Martinez Aytch,  
5  
6 Plaintiff,  
7  
8 v.  
9 Bed Bath & Beyond,  
10 Defendant.

Case No. 2:22-cv-02016-JAD-BNW

**REPORT AND RECOMMENDATION**

11 The Court previously screened *pro se* Plaintiff Martinez Aytch's complaint, dismissed  
12 Plaintiff's complaint without prejudice, and ordered Plaintiff to file an amended complaint (if he  
13 so chose). ECF No. 3. Plaintiff was given until January 15, 2022 to amend his complaint. *Id.* at 4.  
14 The Court further advised Plaintiff that if he did not file an amended complaint by this date, the  
15 Court would recommend that this case be dismissed. *Id.* Plaintiff did not file an amended  
16 complaint.

17 **IT IS THEREFORE RECOMMENDED** that Plaintiff's case be dismissed without  
18 prejudice and this case closed.

19 **NOTICE**

20 This Report and Recommendation is submitted to the United States District Judge  
21 assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this Report and  
22 Recommendation may file a written objection supported by points and authorities within 14 days  
23 of being served with it. Local Rule IB 3-2(a). Failure to file a timely objection may waive the  
24 right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

25  
26 DATED: January 26, 2023.

27 

28 BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE